

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re : Chapter 11 Case No.
:
LEHMAN BROTHERS HOLDINGS INC., *et al.*, : 08-13555 (JMP)
:
Debtors. : (Jointly Administered)
-----X

**AFFIDAVIT AND DISCLOSURE STATEMENT OF PETER R. BONCHONSKY,
ON BEHALF OF BONCHONSKY & ZAINO, LLP**

STATE OF NEW YORK)
) ss:
COUNTY OF NASSAU)

PETER R. BONCHONSKY, being duly sworn, upon his oath, deposes and says:

1. I am a PARTNER of BONCHONSKY & ZAINO, LLP, located at 226 SEVENTH STREET, GARDEN CITY, NEW YORK 11530 (the "Firm").
2. Lehman Brothers Holdings Inc. ("LBHI") and its affiliated debtors in the above-referenced chapter 11 cases, as debtors and debtors in possession (together, the "Debtors" and, collectively with their non-debtor affiliates, "Lehman"), have requested that the Firm provide LEGAL services to the Debtors, and the Firm has consented to provide such services.
3. The Firm may have performed services in the past and may perform services in the future, in matters unrelated to these chapter 11 cases, for persons that are parties in interest in the Debtors' chapter 11 cases. As part of its customary practice, the Firm is retained in cases, proceedings, and transactions involving many different parties, some of whom may represent or be claimants or employees of the Debtors, or other parties in interest in these chapter 11 cases. The Firm does not perform services for any such person in connection with these chapter 11 cases. In addition, the Firm does not have any relationship with any such person, their attorneys, or accountants that would be adverse to the Debtors or their estates.

4. Neither I, nor any principal of, or professional employed by the Firm has agreed to share or will share any portion of the compensation to be received from the Debtors with any other person other than the principals and regular employees of the Firm.

5. Neither I, nor any principal of, or professional employed by the Firm, insofar as I have been able to ascertain, holds or represents any interest adverse to the Debtors or their estates.

6. The Debtors owe the Firm (Pittoni, Bonchonsky & Zaino, LLP) approximately \$2,645 for prepetition services. Subsequent to the Firm's engagement, but prior to court approval, the Debtors inadvertently paid to the Firm fees and expenses in the amount of \$2,645 for services rendered and expenses incurred. Given that the inadvertent payments fall within the permissible caps set forth in the order entered November 5, 2008 authorizing the Debtors to employ professionals utilized in the ordinary course of business [Docket No. 1394], the Firm requests that such error be deemed moot if the Firm's retention is approved.

7. The Firm is conducting further inquiries regarding its retention by any creditors of the Debtors, and upon conclusion of that inquiry, or at any time during the period of its employment, if the Firm should discover any facts bearing on the matters described herein, the Firm will supplement the information contained in this Affidavit.¹

By: 

PETER R. BONCHONSKY

Subscribed and sworn to before me
this ~~2nd~~ day of ~~May~~, 2009

8th June


Notary Public

ELIZABETH GARRY
Notary Public, State of New York
No. 01GA6027340
Qualified in Nassau County
Commission Expires July 6, 2011

¹ If necessary.

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RETENTION QUESTIONNAIRE

TO BE COMPLETED BY PROFESSIONALS EMPLOYED BY LEHMAN
BROTHERS HOLDINGS INC. OR ANY OF ITS DEBTOR AFFILIATES (collectively,
the "Debtors")

DO NOT FILE THIS QUESTIONNAIRE WITH THE COURT.
RETURN IT FOR FILING BY THE DEBTORS, TO:

Weil, Gotshal & Manges LLP
767 Fifth Avenue
New York, New York 10153
Attn: Jennifer Sapp
Christopher Stauble

All questions **must** be answered. Please use "none," "not applicable," or "N/A," as
appropriate. If more space is needed, please complete on a separate page and attach.

1. Name and address of firm:

BONCHONSKY & ZAINO, LLP

226 SEVENTH STREET

GARDEN CITY, NEW YORK 11530

(NOTE: Prior firm of Pittoni, Bonchonsky & Zaino, LLP is in dissolution

as of 5/1/09. Peter R. Bonchonsky is/was primary attorney handling

Lehman Matters.)

2. Date of retention: On or about January 2008 (Re: litigation matter see
par.4)
3. Type of services provided (accounting, legal, etc.):
LEGAL - LITIGATION
4. Brief description of services to be provided:
Legal services (litigation) relating to foreclosure of commercial mortgages
(foreclosing mortgage of D. Kumar at 107-18 Guy R. Brewer Blvd.,
Jamaica, NY 11433)
5. Arrangements for compensation (hourly, contingent, etc.)
Hourly
- (a) Average hourly rate (if applicable):
Partners \$250; Associates \$225
- (b) Estimated average monthly compensation based on prepetition
retention (if firm was employed prepetition):
Estimate \$2,000.00
6. Prepetition claims against the Debtors held by the firm:
Amount of claim: \$2,645.00
Date claim arose: January 2008 to September 2008
Source of Claim: Legal services re: foreclosure against D. Kumar (see
par. 4)
7. Prepetition claims against the Debtors held individually by any member,
associate, or professional employee of the firm:
Name: None

Status: _____

Amount of Claim: \$ _____

Date claim arose: _____

Source of claim: _____

8. Stock of the Debtors currently held by the firm:

Kind of shares: None _____

No. of shares: _____

9. Stock of the Debtors currently held individually by any member, associate, or professional employee of the firm:

Name: None _____

Status: _____

Kind of shares: _____

No. of shares: _____

10. Disclose the nature and provide a brief description of any interest adverse to the Debtors or to their estates with respect to the matters on which the above-named firm is to be employed.

None _____

11. Name of individual completing this form:

PETER R. BONCHONSKY _____